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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MUGEEB MOHAMEDHEZAM NASSER,

Defendant.

CASE NO. 1:97-CR-05211-AWI-2
MOTION TO DISMISS THE INDICTMENT

The United States of America, appearing herein by and through the undersigned counsel, Kathleen A. Servatius, Assistant United States Attorney, hereby moves this Court for permission to dismiss without prejudice the indictment as to, Mugeeb Mohamedhezam Nasser in the above stated case.

Good cause exists to dismiss without prejudice the indictment in the interest of justice, and pursuant to Fed. R. Crim. P. 48(a) for the following reasons: This action has remained pending without activity for over ten years. Because of the long period of non-activity, this case is presumed to be no longer viable. Additionally, the gravity of the offense does not justify continued efforts to prosecute. For these reasons, the government moves for dismissal of the indictment against the defendant.

Dated: September 23, 2015

Respectfully Submitted,

BENJAMIN B. WAGNER
United States Attorney

By: /s/ Kathleen A. Servatius
KATHLEEN A. SERVATIUS

ORDER

On the basis of good cause, to serve the interested of justice, pursuant to the government's and Fed. R. Crim. P. 48(a), the indictment in Case Number 1:97-CR-05211 AWI against Mugeeb Mohamedhezam Nasser shall be DISMISSED without prejudice. The clerk of the court is directed to close this case.

IT IS SO ORDERED.

Dated: September 28, 2015



SENIOR DISTRICT JUDGE